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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **OAKLAND DIVISION**  
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12 PRODUCTS AND VENTURES  
13 INTERNATIONAL,

14 Plaintiff,

15 v.

16 AXUS STATIONERY (SHANGHAI) LTD.,  
17 et al.,

18 Defendants.

19 And related counterclaims.  
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**Case No. 4:16-CV-00669-YGR**

**~~[PROPOSED]~~ ORDER GRANTING  
DEFENDANTS' MOTION TO CORRECT  
THE JUDGMENT**

\*as modified by the Court\*

Courtroom: 1, Fourth Floor  
Judge: Hon. Yvonne Gonzalez Rogers  
Date: September 25, 2018  
Time: 2:00 p.m.

1 Having considered Defendants' (Axus Stationery (Shanghai) Co. Ltd., Shanghai Marco  
2 Stationery Co. Ltd., Shanghai Laikesheng Pen Material Co. Ltd. d/b/a Shanghai Lexon, Kenpark  
3 Ltd., Andre Viegas, and Peifeng Xu and defendant/counterclaimant Roberta Trading Corporation  
4 (together, the "Defendants")) Motion to Correct the Judgment ("Defendants' Motion") (Dkt. No.  
5 268), the Court hereby GRANTS Defendants' Motion, as the word "immediately" as it appears in  
6 the Judgment entered on August 7, 2018 (Dkt. No. 265) was intended to refer to the issuance of the  
7 Judgment itself.

8 The Clerk of the Court shall enter the Corrected Judgment, which is attached to this Order as  
9 Exhibit A.

10 The Corrected Judgment attached to this Order as Exhibit A supersedes the Judgment entered  
11 as Docket Number 265 in the above-captioned matter. The Judgment entered as Docket Number  
12 265 no longer has legal effect.

13 This Order terminates Docket Number 268.<sup>1</sup>

14 **IT IS SO ORDERED.**

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16 Dated: August 17, 2018



The Honorable Yvonne Gonzalez Rogers  
United States District Court Judge

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27 <sup>1</sup> Accordingly, the hearing on Defendants' Motion set for September 25, 2018 is  
28 **VACATED.**

# **Exhibit A**

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

PRODUCTS AND VENTURES  
INTERNATIONAL,  
  
Plaintiff,  
  
v.  
  
AXUS STATIONERY (SHANGHAI) LTD.,  
et al.,  
  
Defendants.

**Case No. 4:16-CV-00669-YGR**  
  
**[PROPOSED] CORRECTED JUDGMENT  
PURSUANT TO SETTLEMENT**  
  
Courtroom: 1, Fourth Floor  
Judge: Hon. Yvonne Gonzalez Rogers

And related counterclaims.

1 Plaintiff Products and Ventures International (“PVI”) brought claims for relief for (1) breach  
2 of contract, (2) breach of the implied covenant of good faith and fair dealing, (3) intentional  
3 interference with contract, (4) intentional interference with prospective economic advantage, (5)  
4 trade secret misappropriation, (6) fraudulent transfer, and (7) civil conspiracy against defendants  
5 Axus Stationery (Shanghai) Ltd., Shanghai Marco Stationery Co. Ltd., Shanghai Laikesheng Pen  
6 Material Co. Ltd., Peifeng Xu, Andre Viegas, Roberta Trading Corporation, and Kenpark Ltd.  
7 (collectively, “Defendants”). Counterclaimant Roberta Trading Corporation brought counterclaims  
8 against Counterclaim Defendants PVI and Carlos Fairbanks for (1) breach of contract, (2) breach of  
9 the implied covenant of good faith and fair dealing, and (3) intentional interference with contract.  
10 On July 25, 2018, the Court issued its Order Granting Motion to Enter Judgment Pursuant to  
11 Settlement (ECF No. 261). That order is hereby incorporated by reference as if set forth fully herein.

12 The Court **NOW ENTERS JUDGMENT AS FOLLOWS:**

- 13 1. Defendants will pay PVI \$4.4 million (USD). Defendants are jointly and severally liable  
14 for paying this amount.
- 15 2. All claims and counterclaims in this action are hereby dismissed with prejudice.
- 16 3. All claims arising out of or relating to the facts giving rise to the claims and  
17 counterclaims in this action are hereby released.
- 18 4. Each party shall bear their own costs, attorney’s fees, and other expenses.
- 19 5. The Court retains jurisdiction over the parties to enforce the terms of this judgment.
- 20 6. The parties are referred to Magistrate Judge Laurel Beeler for assistance in enforcing the  
21 judgment.

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23 **IT IS SO ORDERED.**

24  
25 Dated: \_\_\_\_\_

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The Honorable Yvonne Gonzalez Rogers  
United States District Court Judge